

SHEA, M., S.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
F.H. BERTLING HOLDING KG, :

Plaintiff, : 08 Civ. 2003 (SAS)

- against -

RANHILL ENGINEERS AND
CONSTRUCTORS SDN. BHD., : ORDER OF DISMISSAL
:

Defendant. :

X FILED

7/22/08

PURSUANT TO FRCP RULE 41

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WHEREAS Plaintiff, F.H. Bertling Holding KG ("Bertling"), commenced this action and obtained issuance of Process of Maritime Attachment, and

WHEREAS funds belonging to Ranhill Engineers and Constructors SDB. BHD. ("Ranhill") have been restrained by garnishee banks pursuant to said Process, and

WHEREAS, Ranhill, by its attorneys, Nourse & Bowles, LLP, has made a restricted appearance herein pursuant to Rule E (4) and (8) of the Supplemental Rules of Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure; and

WHEREAS, by Opinion and Order dated July 8, 2008 and entered on July 9, 2008 this Court vacated the Order of Maritime Attachment herein; and

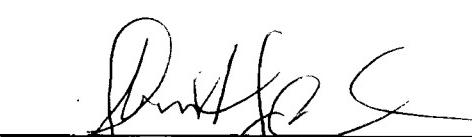
WHEREAS, the automatic 10 day stay pursuant to Rule 62 Fed. R. Civ. P. expires on July 23, 2008; and

WHEREAS, any garnishee that has been served with Process of Maritime Attachment and Garnishment in this action should upon expiration of the stay on July 23, 2008 immediately release any and all property attached as property of Ranhill pursuant to instructions to be provided by Ranhill's counsel as to where the funds should be remitted;

WHEREFORE, IT IS HEREBY ORDERED:

- (1) The Ex Parte Order of Maritime Attachment and Garnishment issued in this action on February 28, 2008 is vacated; and
- (2) Garnishee American Express Bank shall release all funds restrained as property of Ranhill pursuant to instructions to be provided by Ranhill's counsel as to where the funds should be remitted.
- (3) Upon release of all attached funds, this action together with all claims and counterclaims asserted therein shall be dismissed, without prejudice.

Dated: New York, New York
July 21, 2008


Hon. Shira A. Scheindlin
U.S.D.J.

ENTRY OF THE ABOVE ORDER IS
CONSENTED TO:

DeORCHIS & PARTNERS LLP
Attorneys for Plaintiff

By:

William Lakis By SFC
William E. Lakis (WL 9355) *Re: E-mail*
61 Broadway *Authority*
26th Floor
New York, New York 10006-2802 *7/21/08*
(212) 344-4700

NOURSE & BOWLES, LLP
Attorneys for Defendant
Ranhill Engineers and Constructors SDB.
BHD

By:

Shaun Carroll
Shaun F. Carroll (SC 9898)
One Exchange Plaza
New York, New York 10006
Tel: (212) 952-6200
Fax: (212) 952-0345